

Iowa CASA Advocate Pre-Service Training

Iowa Child Advocacy Board

Module 2
Child Advocacy
Fundamentals

In-Person



Learning Outcomes:

- Identify the four key components of the Advocate role.
- Identify the relevant federal laws that guide child advocacy work.
- Identify the key parties involved in a juvenile court case and describe the role of each party.
- Describe how a case moves through the juvenile court process from case assignment to case closure.
- Demonstrate how to complete an initial Advocate Case Action Plan.

Agenda

1. Welcome, Introductions, Learning Outcomes and Ground Rules
2. Skills & Perspective Pre-Assessment Review
3. Child Advocacy Principles and Concepts
4. Development of Child Abuse and Neglect Laws
5. Role of Key Parties in a Child Welfare Case
6. Introduction to Federal Laws
7. Juvenile Court Process
8. Introduction to a Case File using Myers Case Study
9. Wrap Up, Evaluation and Preparation for Module 3



Introduction

This four hour pre-service training continues to provide you the opportunity to acquire the skills, knowledge, and attitudes needed to be a CASA Advocate - an advocate for the children who find themselves involved in the court system through no fault of their own. The children with whom you will work are victims of child abuse and neglect, and many of them are in foster care. They need a “voice in court” in order to find a safe, permanent home quickly - whether that means returning to a parent or being adopted. As an Advocate, you will provide that voice, sharing with the court both the child’s wishes and your recommendations about what is in that child’s best interest. It is important work that requires the commitment of your time, your energy, and your heart.

Iowa needs excellent Advocates. Pre-service training is designed to model values important to your advocacy work, including autonomy, respect for differences, responsibility, self-awareness, collaboration, and critical thinking.

The purpose of today’s session is to discuss the principles and concepts that guide your advocacy work and then move into the key components of the Advocate role, the juvenile court process and the key parties in child welfare and juvenile court cases.

ACTIVITY: Pre-Assessment Review

Refer to the Advocate Skills and Perspective Pre-Assessment you completed at your interview. The facilitator will pass these out. In large group:

1. Share your strongest skill area (investigate, facilitate, advocate, monitor or perspective).
2. Identify one area you believe you need the most development.

Principles and Concepts that Guide Child Advocacy

Recall the foundational concepts to consider when working as an Advocate from your reading in Module 1: Introduction.

1. **Best Interest** – You will hear this term used a lot in meetings and in the court room. Judges use the “*best interest of the child*” standard when making their decision in child abuse and neglect cases. There has been a long debate about the meaning of “*best interest of the child*,” and though many books have been written on the subject, there is still no concise legal definition for this standard.

As an Advocate, think about the following questions throughout your case assignment:

1. Is the child safe?
2. Is the child’s unique culture being respected?
3. What are the special needs of the child?
4. Is the child’s sense of time being honored?
5. Is the child receiving the emotional nurture necessary for healthy brain development?
6. Can this child speak for him/herself?
7. Should the child be present in court?

2. **Why the Minimum Sufficient Level of Care (MSL) Standard is used.**

Minimum sufficient level of care is a standard that describes what must be in place for the child to remain in his/her home. The same standard is also used to determine whether or not parents have made sufficient progress so that a child can be safely returned to the family home. MSLC is determined by a number of factors, each of which must be looked at specifically in relation to the case at hand.

Many children you serve as an Advocate will go home. It is your role to advocate for the services necessary so the child can go home safely. If the child cannot be returned home safely, what is in the child’s best interest? This is not an easy question to answer.

As an Advocate, you start with the assumption that a child's family is usually the best setting for raising and nurturing that child. This is true even if the family's lifestyle, beliefs, resources, and actions are radically different from yours. As long as the child's family meets or can be helped to meet the minimum sufficient level of care required for the safety of that child, the child belongs with his/her family.

Although the MSLC is unique for each child, there are commonalities in nearly all situations. The factors to consider in establishing what the MSLC is for a particular child include those that relate to:

1. The Child's Needs in areas of:
 - Physical care
 - Emotional well-being
 - Development
2. Contemporary Social Standards
3. Community Standards

As an Advocate, key questions to consider include:

1. Are the caregivers providing consistent care at a basic level that keeps the child safe and protected in the areas of physical, emotional and developmental needs?
2. Are the caregivers' behaviors within or outside the commonly accepted child-rearing practices in our society?
3. Are the caregivers' behaviors within or outside the commonly accepted child-rearing practices in their community?

The rationale for using Minimum Sufficient Level of Care as a standard includes:

1. It maintains the child's right to safety and permanence while not ignoring the parents' right to their children.
 2. It is required by law (as a practical way to interpret the "reasonable efforts.").
 3. It is possible for parents to reach.
 4. It provides a reference point for decision makers.
 5. It protects (to some degree) from individual biases and value judgments.
 6. It discourages unnecessary removal from the family home.
 7. It discourages unnecessarily long placements in foster care.
 8. It keeps decision makers focused on what is the least detrimental alternative for the child.
 9. It is sensitive across cultures.
3. **Permanency** – One of your primary goals as an Advocate is to advocate for a safe, permanent home as soon as possible, honoring the child's culture and sense of time. While there is never a guarantee of permanence, having such intentions can ensure that we are working toward a plan that supports permanence. At a very basic level, permanency means a child has a safe, stable, custodial environment in which to grow up, and a lifelong relationship with a nurturing caregiver.

There are two possible "permanent" resolutions:

1. Return to parent
2. Adoption by a relative or non-relative

A third option, while not truly "permanent," is sometimes considered as an appropriate choice when the other two options are not available to a child. It is the next best thing:

- Placement and custody or guardianship with relatives.

In addition to legal permanency, permanency also includes maintaining or establishing meaningful connections with other caring adults in the child's life (relational permanency) with family, friends, and connections to the community.

As an Advocate,

1. Understand federal laws related to permanency.
2. Support the DHS case manager in creating a concurrent plan.
3. Be aware of kin and significant others who the child has a connection with, and make sure this information is incorporated into the case plan.
4. Include a review of movement toward permanency in the child and family team process throughout the case, not just at the end.
5. In the CASA report, highlight how long a child has been out of the birth home, and indicate approaching limits.
6. When appropriate, request a ruling from the court about progress toward meeting permanency deadlines.

4. **Concurrent Planning** is an approach that seeks to eliminate delays in attaining permanent families for children and youth in foster care. Effective implementation requires comprehensive and early assessment. It involves identifying and working toward a child's primary permanent goal as Plan A (reunification with the birth family), while simultaneously identifying and working on a secondary goal as Plan B (such as guardianship with a relative or adoption by a relative or non-relative). If efforts toward the primary goal prove unsuccessful, this practice can shorten the time to achieve permanency because progress has already been made toward the secondary goal.

The benefits of concurrent planning include:

- Fewer moves for children;
- Placement with a permanent family more quickly;
- Fewer problems of attachment and trust;
- Strategies and services, matched to the needs of families, offer the best opportunity for changing the behavioral patterns that led to the child's removal.

As an Advocate,

- Given the two possible permanent resolutions to a case: 1) return to parent and 2) adoption by a relative or non-relative, your role is to encourage "concurrent planning," which means working on two plans at the same time at the onset of the case: Plan A, to return the child home and Plan B, finding an alternative permanent placement.



Acronyms used in Child Advocacy

These are common acronyms you will encounter in your advocacy work.

ADD	Attention Deficit Disorder
ADHD	Attention Deficit w/Hyperactivity Disorder
APPLA	Another Planned Permanent Living Arrangement
ASFA	Adoption and Safe Families Act
BD	Behavioral Disorder
BHIS	Behavioral Health Intervention Services
CAB	Child Advocacy Board
CAPTA	Child Abuse Prevention and Treatment Act
CASA	Court Appointed Special Advocate
CINA	Child in Need of Assistance
CPP	Case Permanency Plan
DHS	Department of Human Services
DIA	Division of Inspections & Appeals
DSM-V	Diagnostic & Statistical Manual of Mental Disorders
FAS	Fetal Alcohol Syndrome
FCRB	Foster Care Review Board
FFA	Family Functioning Assessment
FSRP	Family, Safety, Risk and Permanency
FTM	Family Team Meeting
GAL	Guardian Ad Litem
GED	General Equivalency Diploma
HiSET	High School Equivalency Test
ICWA	Indian Child Welfare Act

IDEA	Individuals with Disabilities Education Act
IEP	Individualized Education Plan
IFAPA	Iowa Foster & Adoptive Parent Association
IFF	Individualized Family Plan (preschool children)
IP	Interested Party
LD	Learning Disorder
MEPA	Multi-Ethnic Placement Act
NOA	Notice of Acceptance
PAL	Preparation for Adult Living
PMIC	Psychiatric Medical Institute for Children
PTSD	Post Traumatic Stress Disorder
RAD	Reactive Attachment Disorder
SAL	Supervised Apartment Living
TIP	Transition Information Packet
TPR	Termination of Parental Rights
TP	Transitional Planning
TPS	Transitional Planning Specialist



It is not uncommon for child welfare professionals to speak in “alphabet soup” language. When you come across an unknown acronym in your advocacy work make sure you ask for clarification.

CASA Advocate Roles

IFAM



1. **Investigate** - you carry out an objective examination of the situation, including relevant history, the environment, relationships, and the needs of the child.
2. **Facilitate** - you identify resources and services for the child and facilitate a collaborative relationship between all parties involved in the case, helping to create a situation in which the child's needs can be met.
3. **Advocate** - you speak up for the child by making recommendations regarding the child's best interests in a written court report.
4. **Monitor** - you keep track of whether the orders of the court and the case permanency plans are carried out, and you report to the court or collaborate with DHS when any of the parties do not follow those orders and plans.

ACTIVITY: Roles and Responsibilities

1. Read through the Roles and Responsibilities of an Advocate on pages 11-13 in your manual.
2. With a partner, identify which of the responsibilities, 2 through 10, fit the four key components of the Advocate role.



Roles and Responsibilities of an Advocate

An Advocate:

1. Successfully completes all pre-training service requirements of the Iowa CASA program, as well as obtains 12 hours of additional training each calendar year specific to the Advocate role.
2. Maintains the confidentiality of all information received in the course of serving as an Advocate.

3. Conducts an independent investigation of the child's case by maintaining regular contact with the child, child's family, Department of Human Services (DHS), service providers, attorneys, school and medical officials, and other interested parties concerning significant developments in the child's case.



4. At a minimum, conducts in-person visits with the child at least once every 30 days.
5. Collects, reviews and maintains case information regarding the case from court orders, reports to court, service provider reports, school records, physical and mental health evaluations and other written documentation filed with the Court.
6. Attends staffing, family team meetings and foster care reviews as needed.



7. Submits written reports, per program policies, for approval by the Coordinator. Reports will include recommendations to the court in the best interest of the child.
8. Attends court hearings to advocate on behalf of the child.
9. Confers regularly with the Coach/Coordinator for case consultation and to share information about all case related activities. Completes and provides Monthly Advocate Updates to the Coach/Coordinator.

Note: Where applicable, the Advocate's first point of contact is with the CASA Coach. If the local program does not have the Coach model, then you work directly with the CASA Coordinator.

10. Is a permissive reporter of suspected child abuse for the assigned child. An Advocate will immediately contact the DHS Child Abuse Hotline (800) 362-2178 to make a report of suspected child abuse. The Advocate immediately reports the incident to the Coordinator and DHS case manager for the child.
11. Immediately notifies the Coordinator of any criminal charges lodged against the Advocate, or other occurrences which may have a detrimental effect on the CASA program.
12. Understands and complies with the policies and procedures of the CASA Advocate program. Policies and procedures will be covered in Module 6 of the training curriculum.



A Closer Look: CASA Report to Court

Writing a court report is one of the most important responsibilities of an Advocate. The court report is the official method that a Court Appointed Special Advocate uses to inform the judge about what the Advocate has learned about the child and family. Through the court report, an Advocate lets the judge know what has been happening to the child while under the court's care. The report outlines, in a standard format, what the Advocate has discovered, the information the Advocate gathered regarding the child's situation, and what the Advocate believes the court needs to do to help the child achieve a safe, permanent home.

Completing the court report does not have to be a difficult task. Using the Myers Case Study, this training is designed to teach you the steps and skills you will need to write a report to the court.



A Closer Look: The Advocate's Relationship with the Child

Establishing a trusting relationship with the child is one of the most important things you do as an Advocate. The ideal relationship is one that maximizes your ability to advocate successfully for the child. The following guidelines describe the parameters for your relationship and contacts with the child:

1. You have direct and sufficient contact with a child to carry out an independent and valid investigation of the child's circumstances, including the child's needs and wishes, so as to be able to make sound, thorough, and objective recommendations in the child's best interest. This contact should occur in person to provide you with firsthand knowledge of the child and his/her unique personality, abilities, and needs.
2. While social contact is permitted with the child to develop trust and a meaningful relationship, you function as an objective Advocate for the child and not as the child's attorney, caseworker, counselor, or parental figure.
3. You do not provide direct services to the child, such as supervising visitation. However, it is appropriate for you to observe interactions that occur between the child and parent(s).
4. Under no circumstances will you take the child into your home, provide shelter for the child, or take the child on an overnight outing.



Now that you have a better understanding of the roles and responsibilities of CASA Advocates, it is important to know the federal and state laws that govern the work of child welfare professionals. We will begin with an introduction to the development of child abuse and neglect laws.

Mary Ellen's Story

Mary Ellen's case took place in 1874. Her spirit remains with us because her case is generally regarded as the beginning of public concern for the plight of abused and neglected children.

Mary Ellen was a child whose father was dead and whose mother could not care for her because she was destitute and had to work full-time. The New York Commission of Charities and Correction placed Mary Ellen with Mary McCormack Connolly and her husband, who were to care for her and report each year on her progress. Instead, Mrs. Connolly abused her. She beat Mary Ellen, locked her in a room, rarely allowed her outside, and did not provide adequate food or clothing.

Upset by the child's screaming, a neighbor told a mission worker about Mary Ellen. The mission worker could find no one to intervene; at the time, laws protecting children were not systematically enforced.

The mission worker finally appealed to Henry Bergh, the founder and president of the ASPCA, the American Society for the Prevention of Cruelty to Animals. He took up Mary Ellen's cause and was able to persuade a judge to hear her case.

Mary Ellen was carried into the courtroom wrapped in a blanket. This is what the newspaper reported that she told the judge:



My father and mother are both dead. I don't know how old I am. . . . I call Mrs. Connolly mamma. I have never had but one pair of shoes, but I cannot recollect when that was. . . . My bed at night has only been a piece of carpet stretched on the floor underneath a window. . . . Mamma has been in the habit of whipping and beating me almost every day. She used to whip me with a twisted whip—a raw hide. . . . She struck me with the scissors and cut me; I have no recollection of ever having been kissed by anyone – have never been kissed by mamma. . . . Whenever mamma went out I was locked up in the bedroom. . . . I do not want to go back to live with mamma because she beats me so.

Mary Ellen was removed from the people who had mistreated her. Her case stirred public attention and complaints began to pour in to Henry Bergh. So many cases of child beating and cruelty to children came to light that citizens called a community meeting and formed an association “for the defense of outraged childhood.” That association gave rise to the Society for the Prevention of Cruelty to Children, which was formally incorporated the year after Mary Ellen’s situation came to light.

ACTIVITY: Answer the following questions as a large group

1. Why do you think Mary Ellen’s situation happened?
2. How is Mary Ellen’s story different from what you read about in the Myers case? How is it similar?

Defining Abuse and Neglect

The concepts of abuse and neglect were provided in the personal study, Module 1: Introduction. It is not the Advocate’s role to determine whether or not abuse or neglect occurred. Child Protective Services will make that determination. As Advocates, you need to be aware of the difference between abuse and neglect.

There are three types of abuse:

1. Physical
2. Sexual
3. Emotional

Forms of abuse include an act of commission by someone against another person.

Neglect involves an act of omission where someone fails to provide and meet the basic needs of an individual when the caretaker has or is offered the financial means to provide this necessary care.

Each state is required to have a minimum definition for child abuse and neglect.

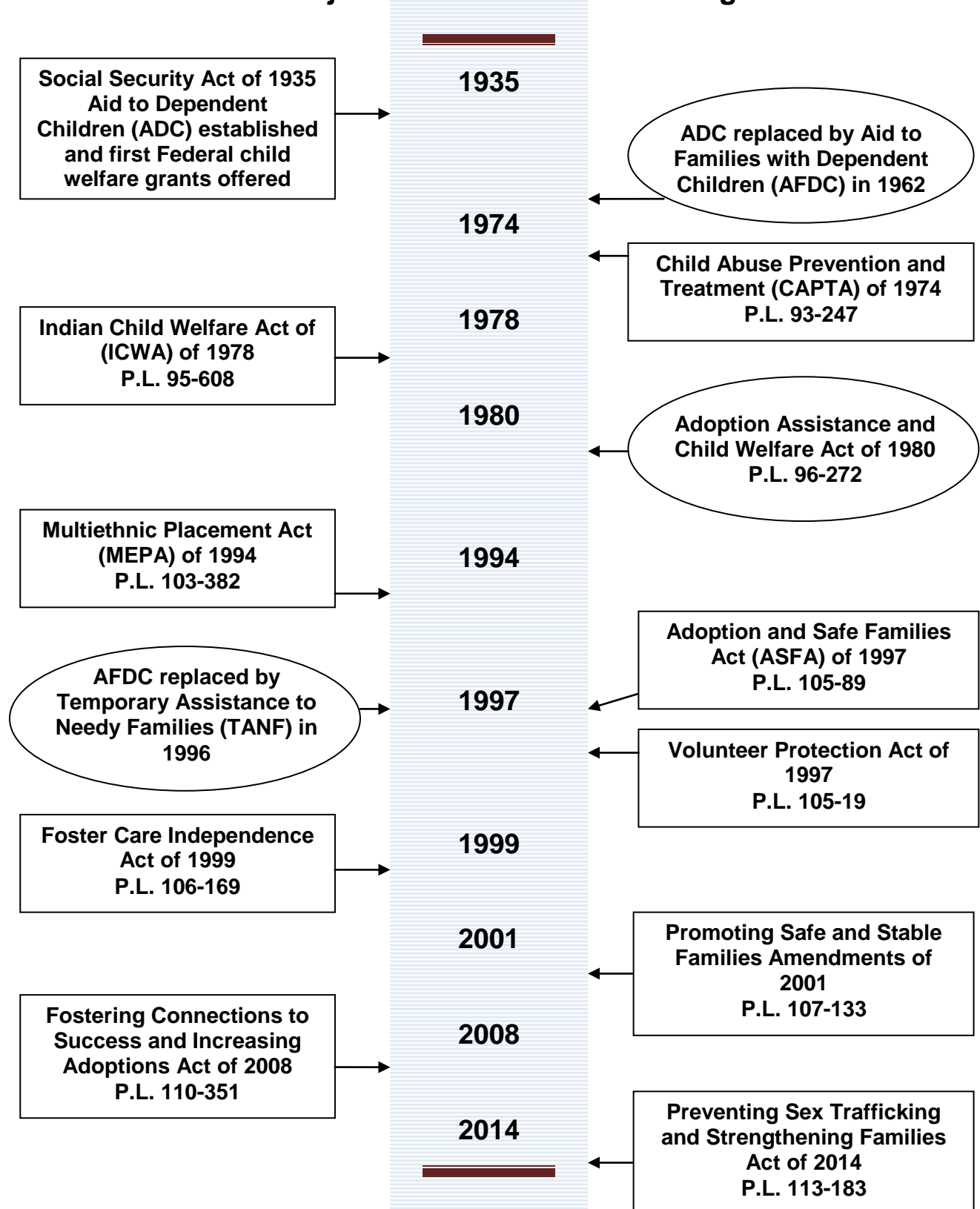
Introduction to Federal Child Abuse and Neglect Laws

Beginning in the 1970s, the United States Congress became aware (along with the rest of the nation) that the child welfare system was not adequately protecting children and their families. From a historical perspective, we are still relatively new to the concepts of protecting abused and neglected children and developing appropriate systems, methods, and programs to cope with the problems children face. Current federal regulations establish the policies for states when responding to child abuse and neglect with the focus being:

Focus of Child Abuse and Neglect Laws

- Children are first, and foremost, protected from abuse and neglect.
- Children are safely maintained in their homes whenever possible and appropriate.
- Children have permanency and stability in their living situations.
- The continuity of family relationships and connections is preserved for children.
- Families have enhanced capacity to provide for their children's needs.
- Children receive appropriate services to meet their educational needs.
- Children receive appropriate services to meet their physical and mental health needs.

Timeline of Major Federal Child Welfare Legislation



Federal Laws that Govern Child Welfare

1. **Social Security Act (SSA) of 1935** established a system of old-age benefits for workers, benefits for victims of industrial accidents, unemployment insurance, aid for dependent mothers and children, the blind, and the physically handicapped.
 - a. SSA, Title V gave the Children's Bureau responsibility for three children's programs: maternal and child health, services for "crippled children," and child welfare services.
 - b. The SSA authorized the first federal grants for child welfare services which served as an impetus for states to establish child welfare agencies and to develop local programs to deliver child welfare services.
 - c. The SSA also created the Aid to Dependent Children (ADC) program, in order to help states provide financial assistance to needy dependent children. This program might be viewed as one of the first nation-wide child abuse and neglect prevention programs.
2. **Child Abuse Prevention and Treatment Act (CAPTA) of 1974** requires states to have child abuse and neglect reporting laws, to investigate reports of abuse and neglect, to educate the public about abuse and neglect, to provide a Guardian ad Litem (GAL) to every abused or neglected child whose case results in a judicial proceeding, and to maintain the confidentiality of child protective assessments.

As an Advocate, you need to know:

- Guardians ad Litem are typically attorneys in Iowa. In 1996, this law was amended to include CASA Advocates as Guardians ad Litem. We will discuss this further when we learn about the child welfare parties.
- Advocates are not mandatory reporters per Iowa Code definition. However, Advocates are permissive reporters. As part of your Oath, you agree to report any new suspicions of abuse or neglect against the child for which you advocate.

3. Indian Child Welfare Act (ICWA) of 1978 establishes standards for the placement of Native American children in foster and adoptive homes and prevents the breakup of Native American families.

As an Advocate, you will:

- Ask if the child has any Native American heritage.
- Pay attention to the heritage and identity needs of the child; find out if there are resources available to meet these needs.
- Keep in mind that ICWA takes precedence over other federal and state laws, including timelines of the Adoption and Safe Families Act which will be reviewed in this section.

4. Multi-Ethnic Placement Act (MEPA) of 1994 establishes standards to decrease the time children wait to be adopted, prevent discrimination on the basis of race, color, or national origin in the placement of children and in the selection of foster and adoptive placements, and facilitate the development of a diverse pool of foster and adoptive families.



As an Advocate:

- Ensure that a placement is not denied because of race, color or national origin.

5. Adoption and Safe Families Act (ASFA) of 1997 was enacted to promote the safety and adoption of children in foster care by accelerating permanent placement and requiring shorter time limits for making decisions about permanent placements:

- Required States to initiate court proceedings to free a child for adoption once that child had been waiting in foster care for at least 15 of the most recent 22 months, unless there was an exception.
- Allowed children to be freed for adoption more quickly in extreme cases.
- Required permanency hearings to be held no later than 12 months after entering foster care. In Iowa, permanency can be established for a child 0-3 years of age at 6 months.
- Required States to initiate termination of parental rights proceedings after the child has been in foster care 15 of the previous 22 months, except if not in the best interest of the child, or if the child is in the care of a relative.

As an Advocate:

- Be aware of the placement timeline for a child placed outside of parental custody.
- Assure that permanency planning options are being explored to include concurrent alternative permanency placements.

6. Volunteer Protection Act of 1997 limits liability of volunteers.

7. Foster Care Independence Act of 1999 addresses the needs of older youth in foster care, particularly those aging out.

- Revised the program of grants to States and expanded opportunities for independent living programs providing education, training, employment services, and financial support for foster youth to prepare for living on their own.
- Provided States with the option to extend Medicaid coverage to 18- to 21-year olds who have been emancipated from foster care.
- Emphasized permanence by requiring that efforts to find a permanent placement continue concurrently with independent living activities.
- Increased funding for adoption incentive payments.

8. Promoting Safe and Stable Families Act of 2001 provides new authority to support programs for mentoring children of incarcerated parents, and amends the Foster Care Independent Living program under title IV-E to provide for educational and training vouchers for youth aging out of foster care. Funding to promote family support and preservation, time-limited family reunification, prompt availability of services, and post-adoption services.

9. Fostering Connections to Success and Increasing Adoptions Act of 2008 is an effort to improve outcomes for youth exiting foster care and includes planning provisions to help youth better transition to independent living and adulthood.

As an Advocate you can:

- Advocate for DHS to exercise due diligence in identifying and notifying all adult relatives of a child within 30 days of the child's removal and of the relatives' options to become a placement resource for the child.
- Advocate that DHS make reasonable efforts to place siblings removed from their home in the same foster care, adoption or guardianship placement, or facilitate visitation or ongoing contacts with those that cannot be placed together, unless it is contrary to the safety or well-being of any of the siblings to do so.
- Advocate for the well-being and educational outcomes of students in foster care through collaboration to ensure educational stability for the youth. Is the student educationally on target for his/her age? If not, advocate for accommodations to meet the child's needs.

As an Advocate for a youth who is 14 (previously 16) years or older:

- Advocate for transition planning to begin at age 14.
- Ensure that during the 90-day period prior to a youth's emancipation, the DHS caseworker develops a personalized transition plan with goals and action steps that is directed by the child.
- Ensure that a youth is advised of the opportunities available to him/her as they prepare to transition from foster care to adulthood.

10. Preventing Sex Trafficking and Strengthening Families Act of 2014 has three titles: Title 1 focuses on provisions to help states identify, track and develop services for children who are believed to be in danger of being trafficked; Title II includes a series of child welfare provisions related to improving the Adoption Incentives programs and extending the Family Connections Grants; and Title III improves the process of getting international child support by allowing tribal governments and authorized foreign agencies to access the Federal Parent Locator Services.

Key provisions include: Supporting Families; Empowering Youth and Caregiver Voices; Prioritizing Relative Care; and Promoting Permanency.

As an Advocate:

- For youth aged 14 or older, ensure the youth is allowed to assist in developing and revising their case plan.
- If the youth is going to age out, advocate for the youth to obtain a legal copy of their personal documents (birth certificate, social security card, driver's license or identification and medical records).
- Inquire whether or not parents of siblings were notified of the child's removal from parental custody.
- Understand that Another Planned Permanent Living Arrangement (APPLA) no longer applies as a permanency goal for youth under 16 years.
- If the youth's goal is APPLA, ensure that DHS continues to look for permanent placements, which should include attempts to find biological family members.

In your advocacy work, you will encounter other federal laws that have an impact on child abuse and neglect cases.

11. Individuals with Disabilities Education Act (IDEA) of 1975 requires states to have policies which ensure that all children with disabilities have access to free, appropriate education in the least restrictive environment appropriate for their individual needs.

As an Advocate for a child with educational needs:

- If the child has an Individualized Education Plan (IEP), be knowledgeable of the goals and gather information from school personnel throughout the life of the case in regard to progress or concerns in reaching the IEP goals.
- If the child does not have an IEP and has special needs, collaborate with the DHS case manager about the need for an IEP.

12. The Health Insurance Portability and Accountability Act (HIPAA) of 1996 requires, among other things, permission or a court order to access “protected health information” for any individual.

As an Advocate,

- Follow local protocol on how to access health records using release forms.

13. The Victims of Child Abuse Act (VOCAA) of 1990 protects the privacy rights of child victims or witnesses during the investigation or prosecution of a federal crime.

Values and Child Protection Laws

Our values as individuals and as a society affect our response to children at risk. In crafting laws, legislators try to strike a balance between competing values. You will consider these same values as you advocate for children.

Activity: Values

Below is a series of continuums representing some of these competing values. Put an X on the spot along the continuum that indicates which value is more important to you and how strongly you feel about it. After you've ranked yourself, go to the front of the room and put an X where you fall on the corresponding flipchart.

<i>Needs of children</i>		<i>Rights of parents</i>
<i>State intervention</i>		<i>Privacy of family</i>
<i>Immediate safety</i>		<i>Consequences of separation</i>
<i>Punishment of abuser</i>		<i>Keeping family intact</i>

1. What do you notice about where you as a group rank your values?
2. How do you think your values will shape your advocacy? How might your advocacy influence the values you currently hold?

Role of Key Parties in a Juvenile Court Case

Once you are appointed as the Advocate to a case, you will begin your initial investigation. Each case is unique and unfolds in its own way, requiring different information in order to meet the needs of a particular child. Your work as an Advocate - conducting interviews, gathering facts, writing reports, testifying in court, advocating for a child, monitoring a case - has a significant impact on the case outcome. Each piece of the work is important. Throughout the entire training, you will see how each aspect will help you fulfill the mission of finding a safe, permanent home for the child, while respecting the child's sense of time.

The Child

- ✓ Why is the child's case in court?
 - A petition has been filed alleging abuse or neglect.
- ✓ What does the child need during court intervention?
 - The child needs the court to order an appropriate intervention and treatment plan so he/she can live in a safe, stable home without ongoing need for intervention from the child protection agency.
 - The areas the child needs addressed include safety/protection, placement if the child is out of the home, family contact, belonging to a family, financial support, a support system, education, mental health, and physical health.
 - The child needs the court intervention to be focused and timely.
 - The child needs services provided that will meet his/her needs.



CASA Advocate, Coach and Coordinator



- ✓ What does the Advocate do in the case?
 - Independently investigates the child's case
 - Determines the child's needs
 - Explores family and community resources to meet the child's needs
 - Makes recommendations to the court
 - Advocates for the child
 - Monitors the case
 - Is the voice of what is in the child's best interest
 - Is the voice of the child's expressed wishes
- ✓ What does the Advocate bring to the case?
 - An interest in improving the life of the child through the court process
 - Time, energy, and focus
 - Consistency (he/she often stays on the case from beginning to end)
 - An "outside the system" point of view and an independent perspective
 - The community's standard for the care and protection of children
- ✓ When is the Advocate involved in the case? An Advocate can be appointed at anytime during the life of the case.
- ✓ What do the Coach and Coordinator do in the case?
 - Provide guidance and support to CASA Advocates for each case assignment.
 - Review Monthly Advocate Updates and maintain at least once a month contact with the Advocate.
 - Review and edit court reports. Coordinator is responsible for final review and dissemination.
 - Is available to attend court hearings or meetings with the Advocate as needed.

Parents

- ✓ Why are the parents/caretakers involved in the case?
 - They have been forced into this court action because DHS asked the court to intervene to protect the child from maltreatment and/or to have his/her basic needs met.
 - They need to comply with the DHS case permanency plan and correct the conditions that led to the child's removal, thereby effectively protecting their child and/or enabling their child to return home.
 - They need to follow the orders of the court or risk having their parental rights terminated.
- ✓ What do the parents/caretakers bring to the case?
 - Love for the child; family ties; history of parenting; abilities, resources, and skills as parents; interactions with the child and each other; mental, emotional, and physical health or illness; support system; housing and income; and their own issues/problems.



Attorney and/or Guardian Ad Litem for the Child

In my jurisdiction this attorney represents [circle one]:

The child's wishes

The child's best interests

Both roles

- ✓ What does the attorney for the child do in the case?
 - Represents the child's best interest and/or wishes, and protects the child's legal rights in court.
 - Files legal documents relevant to the child's case.

What does the attorney for the child bring to the case?

- Legal expertise, facilitation and negotiation skills, and courtroom experience.
- ✓ When is the attorney for the child involved in the case?
- From the petition filing through the end of the court case.

Attorney for the Parent

- ✓ What does the attorney for the parent/caretaker do in the case?
- Represents the wishes of the parent/caretaker he/she represents.
 - Protects the legal rights of the parent/caretaker in court.
 - Advises the parent/caretaker on legal matters.
 - Files legal documents relevant to the case.
- ✓ What does the attorney for the parent/caretaker bring to the case?
- Legal expertise, facilitation and negotiation skills, and courtroom experience.
- ✓ When is the attorney for the parent/caretaker involved in the case?
- From the time of court appointment or parent's retention through the end of the court case.





Department of Human Services Child Protection Worker, Case Manager, and Adoption Specialist

- ✓ What does the child protection caseworker bring to the case?
 - Training in analyzing risk, assessing service needs, and providing guidance to families.
 - Direct services for families to provide them with the knowledge, skills, and resources necessary for change.
 - Links to other service providers so that the family can access resources outside the child protective services system.
- ✓ When is the child protection caseworker involved in the case?
 - From the initial contact with the family and/or child until the case is transferred to the DHS case manager.
- ✓ What is the role of the DHS case manager in the case?
 - The child protection caseworker has completed a risk assessment process and, based on risk and/or substantiated allegations of abuse and/or neglect, has determined the need for court intervention.
 - The caseworker or DHS case manager petitioned the court to intervene on the child's behalf because:
 - He/she has developed an intervention plan with the family, which has not resulted in eliminating the risk that child maltreatment will recur, or
 - Due to risk of imminent danger, he/she has removed the child from his/her home to ensure the child's safety.
 - The DHS case manager needs the court to order that the agency's intervention and treatment plan be followed by the parents/ caretakers and other service providers so that the need for continuous agency intervention is no longer required to ensure the child receives proper care and protection.
 - The caseworker is responsible for managing the case and arranging for court-ordered services to be provided to the child and the child's family.
- ✓ What does the Adoption Specialist bring to the case?
 - When a termination of parental rights takes place, the children are legally free for adoption. The case is transferred to an Adoption Specialist who is responsible for managing the case and arranging for a forever home for the child through adoption.

Attorney for DHS or the State

- ✓ What does this attorney do in the case?
 - Represents the position of the agency/county/state in court
 - Protects the agency/county/state from liability
 - Advises the agency/county/state regarding its responsibilities as outlined in the law
 - Files legal documents relevant to the case
 - **Other** _____
- ✓ What does this attorney bring to the case?
 - Legal expertise, facilitation and negotiation skills, and courtroom experience
- ✓ When is this attorney involved in the case?
 - From the petition filing through the end of the case

Indian Child's Tribe

- ✓ What does the Indian child's tribe do in the case?
 - Represents to the court the “best interest of the child” as defined by the Indian Child Welfare Act (ICWA)
 - Ensures that the parents, the child, and the tribe have all the rights they are afforded pursuant to ICWA
 - Brings to the attention of the court culturally relevant service options and dispositional recommendations
 - Protects the tribe's interest in the child and ensures the preservation of the child's ties to the tribe and its resources
 - Where appropriate, offers or requires that the tribe take jurisdiction of the matter
 - Files legal documents when it is necessary
- ✓ What does the tribe bring to the case?
 - A special perspective on preservation of the child's ties to the tribe
 - Knowledge of relevant cultural practices and culturally relevant services that can be considered as potential resources for the child





Foster Care Review Board (FCRB)

✓ What is the role of the Foster Care Review Board?

- Create a forum for all interested parties to meet in a neutral setting and discuss the progress being made toward permanency.
- Listen carefully to all sides
- Assess reasonable efforts per PL 96-272
- Assess timelines per Adoption and Safe Families Act (ASFA)
- Assess safety
- Provide the independent review required in ASFA without the constraints of court hearings and with community advocates
- Submit a report to the judge of their findings and recommendations

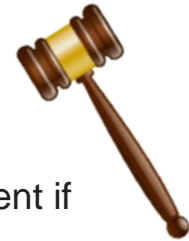
Judge

✓ What does the judge do in the case?

- Determines if there is a continued safety issue for the child that necessitates continued out-of-home placement if the child has been removed from the home
- Decides if the child is abused or neglected, and if so, orders services that will address the needs of the child
- Orders appropriate reviews
- Hears testimony, motions, etc., regarding the case
- Approves the permanent plan for the child
- Orders termination of parental rights when appropriate
- Settles disputed adoption cases
- Closes the court case when there is no longer a need for court intervention or the permanent plan has been achieved

✓ When is the judge involved in the case?

- From the request for emergency removal and petition filing until the court case is closed (or, if the child is not removed from home, from the petition filing until the court case is closed)



Juvenile Court Process

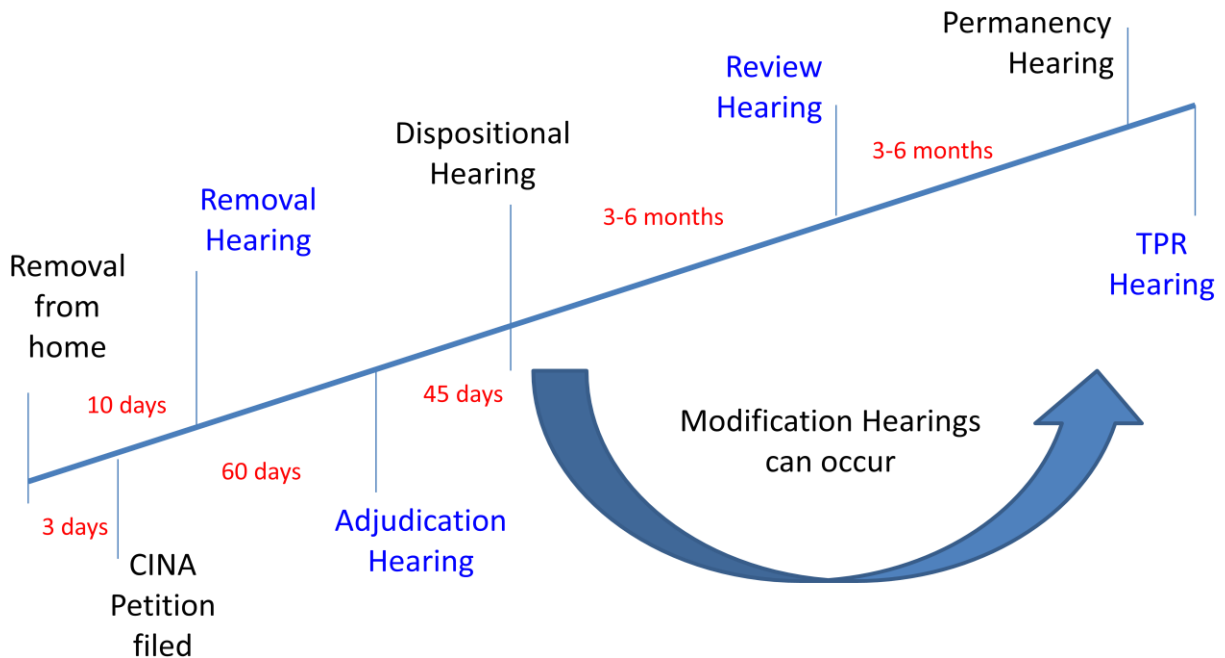
The court process is a series of hearings - each building on what has occurred before. You will interact with the key parties at each step of the court process. A typical Child In Need Of Assistance (CINA) case follows these juvenile court steps:

Court Hearing or Event	Timeline	Advocate Responsibilities
Allegation of abuse and/or neglect is made to DHS. Determination is made that juvenile court intervention is necessary. A judge may give a verbal ex parte order to DHS to remove the child from the home, given the safety issues for the child, without hearing from the parent at that time.	Today	Not yet involved
CINA Petition <i>See Handout for Iowa State Laws</i>	As filed by County Attorney. (Within 3 days of the removal).	Review the CINA petition if assigned to the case; be informed of the criteria for the CINA request.
Temporary Removal Hearing	Within 10 days	Typically not yet involved; if assigned, attend the court hearing and meet the key parties in the case.
Adjudication Hearing <i>See Handout for Iowa State Laws</i>	Within 60 days of the filing of CINA petition	If assigned, attend the court hearing.
Disposition Hearing Case Permanency Plan will be approved by the court and become part of the court order.	Within 45 days of the adjudication hearing	Write a report to court that includes information gathered from interviews, visits and review of case documents; include recommendations regarding placement, services to address the issues outlined in the adjudicatory order, unmet needs of the child. Attend the hearing; be prepared to give a verbal update.

Court Hearing or Event	Timeline	Advocate Responsibilities
Review Hearing	3 to 6 months after the disposition hearing	<p>Write a report to court that includes information gathered from interviews, visits and review of case file documents; include recommendations regarding placement, services, and unmet needs of the child.</p> <p>Attend the hearing; be prepared to give a verbal update.</p>
Modification Hearing includes various types of motions filed by the legal parties (i.e., change in placement or level of care)	As scheduled by the court	<p>As required by the Coordinator, write a report that addresses the Advocate's position regarding the motion.</p> <p>Attend the hearing; be prepared to give a verbal update.</p>
Subsequent Review Hearings	3 to 6 months after previous review hearing	<p>Write a subsequent report that addresses the issues identified above in <i>Review Hearing</i>.</p> <p>Attend the hearing; be prepared to give a verbal update.</p>
Permanency Hearing	<p>After removal date: 6 months for children 0-3 yrs age; 12 months for children 4+ years</p> <p>Adhere to ASFA timelines</p>	<p>Write a report to court that includes information gathered from interviews, visits and review of case file documents since the last court hearing or CASA report; include recommendations regarding the permanency option that is in the child's best interest.</p> <p>Attend the hearing; be prepared to give a verbal update.</p>

Court Hearing or Event	Timeline	Advocate Responsibilities
Termination of Parental Rights (TPR) Hearing	Scheduled by the Judge	<p>Write a report to court that includes information gathered from interviews, visits and review of case file documents since the last court hearing and/or CASA report; also include recommendations regarding the permanency option that is in the child's best interest.</p> <p>Attend the hearing; be prepared to give a verbal update.</p>
Post-TPR Hearing	3-6 months after the termination of parental rights is ordered	<p>Write a report to court that includes information gathered from interviews, visits and review of case file documents since the last court hearing and/or CASA report; also include recommendations regarding the child's placement and services.</p> <p>Attend the hearing; be prepared to give a verbal update.</p>
Permanency Review Hearings	Held annually	<p>Write a report to court that includes information gathered from interviews, visits and review of case file documents since the last court hearing and/or CASA report; also include recommendations regarding the child's placement, services.</p> <p>For youth 14+years, the report should also include information and recommendations regarding transition planning.</p> <p>Youth with APPLA, include continued efforts to find a permanent placement.</p> <p>Attend the hearing; be prepared to give a verbal update.</p>

Juvenile Court Process Timeline



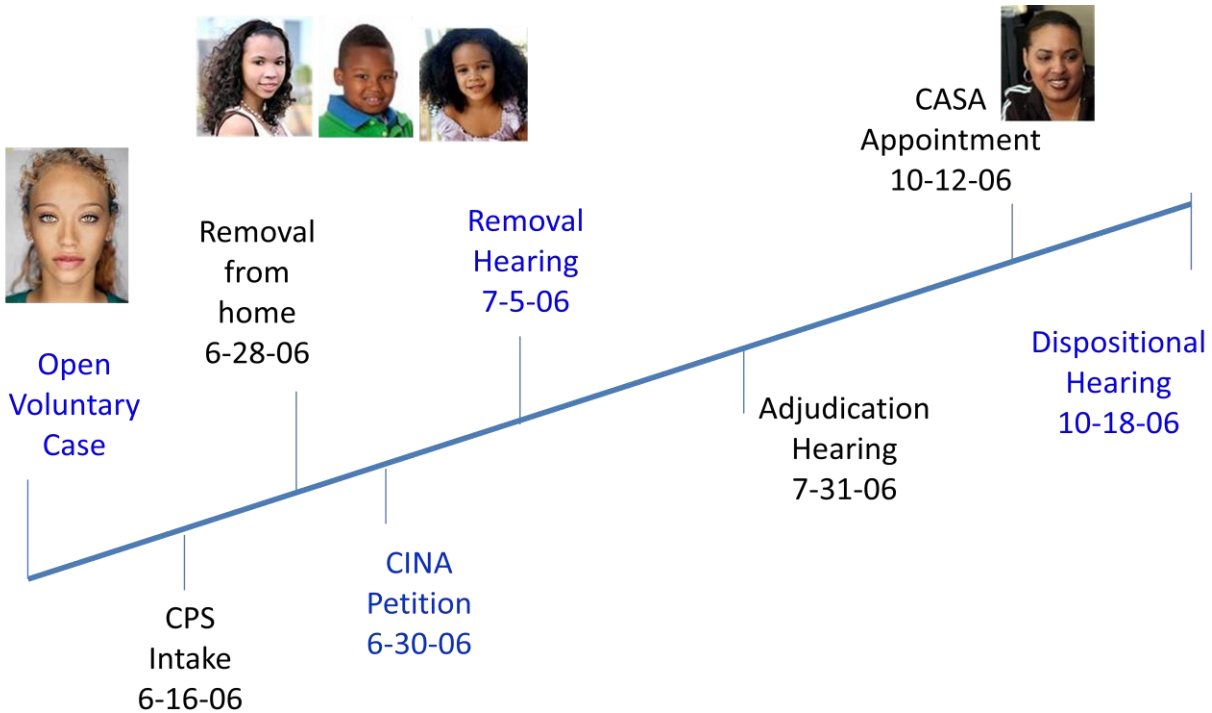
"A child's sense of time is different from an adults; childhood is short and simultaneously, a tremendous amount of development and maturation is going on internally for a child."

Part of the Advocate's role is to advocate for timely court hearings by collaborating with key parties to eliminate court continuances.

As the Advocate you will be given an opportunity to provide a verbal update at each hearing. You will learn more about *Appearing in Court* later in the training curriculum.

The Myers Case Timeline

Consider what you know of the Myers family situation from your advanced reading of pages 1 – 71 in the case study materials. The case timeline is as follows:



Activity: Understanding Permanency Timelines

Think back to the Adoption and Safe Families Act (ASFA) of 1997. Answer the following questions as a large group:

1. When did the permanency “clock” begin for the Myers children?
2. What is the significance of that date for you as an Advocate?

Explanation of Documents for the Case Study

When you, as an Advocate, accept a case assignment, you will have access to case file documentation. Using the Myers case file (documents are on page # identified in the *Myers Case Study*), listen as the facilitator describes the following documents:



1. Child in Need of Assistance (CINA) Petition (Pg. 8)
 - This identifies the allegations of abuse and neglect as defined by Iowa Code §232.
2. Removal Order (Pg. 20)
 - This court order determines whether or not the removal of the child from parental custody will continue.
3. Family, Safety, Risk and Permanency (FSRP) Report (pg. 22)
 - Information about a parent's cooperation or non-compliance with the services and family interactions provided by the FSRP provider.
4. Child Protective Services Assessment Summary (CPSAS) (Pg. 31)
 - This is a summary and findings of the child abuse investigation that was completed by the Child Protection Services (CPS) worker.
 - Only confirmed or founded reports are available to Advocates.
5. Adjudication Order (Pg. 41)
 - This court order determines if the allegations of abuse or neglect meet the Iowa Code definitions to declare the child to be in need of assistance. If the case does not meet the grounds, then the CINA petition is dismissed and the court case is closed.

Important information obtained from court orders

- Child(ren)'s Date of Birth
- Date of hearing
- Reason(s) for adjudication
- Orders of the Court
- Juvenile Court Number(s)
- Parties who attended
- Facts of the case
- Next date/time/type of hearing

6. DHS Social Report (Pg. 44)

- Background information about the family's life story.

7. Case Permanency Plan (CPP) (Pg. 48)

The DHS case manager will create a CPP that includes, but is not limited to:

- Plans for carrying out the voluntary placement agreement or judicial determination pursuant to which the child entered care.
- Time frames to meet the stated permanency goal and short-term objectives.
- The type and appropriateness of the placement, and care and services to be provided to the child.
- The care and services that will be provided to the child, biological parents, and foster parents.
- How the care and services will meet the needs of the child while in care and will facilitate the child's return home or other permanent placement.
- The efforts to place the child with a relative.
- The rationale for an out-of-state placement, and the efforts to prevent such placement, if the child has been placed out of state.
- The most recent information available regarding the child's health and educational records.
- When a child is sixteen years of age or older, a written transition plan of services which, based upon an assessment of

the child's needs, would assist the child in preparing for the transition from foster care to adulthood.

- The actions expected of the parent, guardian, or custodian in order for the department or agency to recommend that the court terminate a dispositional order for the child's out-of-home placement and for the department or agency to end its involvement with the child and the child's family.

CPP, Part B: Life Domains

Child Well-Being <i>(Identify the strengths or needs that impact the safety of the child, the well-being for the child and family, and permanency for the child)</i>		
<input checked="" type="checkbox"/> Child's Mental Health	<input checked="" type="checkbox"/> School Performance	<input checked="" type="checkbox"/> Relationship with Caregiver(s)
<input checked="" type="checkbox"/> Child's Behavior	<input type="checkbox"/> Motivation/Cooperation to stay with family	<input type="checkbox"/> Relationship with siblings
<input type="checkbox"/> Relationship with peers		
Parental Capabilities <i>(Identify the strengths or needs that impact the safety of the child, the well-being for the child and family, and permanency for the child)</i>		
<input checked="" type="checkbox"/> Supervision of Children	<input checked="" type="checkbox"/> Disciplinary Practices	<input checked="" type="checkbox"/> Developmental/enrichment
<input checked="" type="checkbox"/> Mental Health	<input type="checkbox"/> Physical Health	<input checked="" type="checkbox"/> Use of drugs/alcohol
Family Safety <i>(Identify the strengths or needs that impact the safety of the child, the well-being for the child and family, and permanency for the child)</i>		
<input checked="" type="checkbox"/> Physical abuse of child	<input type="checkbox"/> Sexual abuse of child	<input type="checkbox"/> Emotional abuse of child
<input checked="" type="checkbox"/> Neglect of child	<input type="checkbox"/> Domestic violence	
Family Interactions <i>(Identify the strengths or needs that impact the safety of the child, the well-being for the child and family, and permanency for the child)</i>		
<input checked="" type="checkbox"/> Bonding with child	<input checked="" type="checkbox"/> Expectations of child	<input type="checkbox"/> Mutual support within family
<input checked="" type="checkbox"/> Relationship between parent/caregivers		
Home Environment <i>(Identify the strengths or needs that impact the safety of the child, the well-being for the child and family, and permanency for the child)</i>		
<input checked="" type="checkbox"/> Housing stability	<input type="checkbox"/> Safety in community	<input type="checkbox"/> Habitability
<input checked="" type="checkbox"/> Food/Nutrition	<input checked="" type="checkbox"/> Financial management	<input type="checkbox"/> Personal hygiene
<input type="checkbox"/> Transportation	<input type="checkbox"/> Learning environment	<input checked="" type="checkbox"/> Income/employment

8. Order for CASA Appointment (Pg. 60)
 - Advocate's release to obtain information about the child, see paragraph 2 of the Order for CASA Appointment.
9. Notice of Acceptance/Confidentiality Agreement by Advocate (Pg. 61)
 - The agreement by the Advocate and CASA Coach or Coordinator to fulfill responsibilities for the case assignment.
10. Disposition Order (Pg. 69)
 - This court order determines appropriate placement and services to promote parenting skills, direct reunification efforts, and detail expectations that need to be accomplished to move toward safe case closure.

Additional documents in the Myers case study include:

- a. applications and court orders in regard to ICWA applicability and mental health committals for Jackson Myers;
- b. school records for the children;
- c. criminal histories for parents; and
- d. an assessment on Amanda Myers.



Activity: Developing an Advocate Case Action Plan



After you've accepted a case assignment, one of your first tasks is to read the case file information to date. Work with a partner to complete the Advocate Case Action Plan form (Handout #1) as it relates to Jackson Myers and his family.

Use the Advocate Case Action Plan form to:

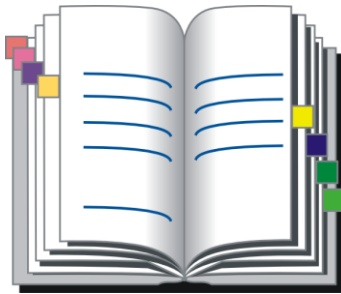
1. capture and organize information about the child, key parties and the services being provided to the child and/or family;
2. identify the strengths, needs and goals of the case to help frame your investigation;
3. list any questions you have and which key party is likely to have the information you need; and
4. list your next steps to further investigate and gather information about the child and case.

The Advocate Case Action Plan is a fluid document that Advocates will use throughout the life of a case. The information you will gather, from one reporting period to the next, and the outcomes of court hearings should be incorporated into your Case Action Plan and help guide your investigation. You will learn more about how to apply the four key components of the Advocate role throughout the training curriculum.

Activity: My Personal Permanency Plan

1. Complete the Handout: My Personal Permanency Plan and sign it
2. Facilitator will provide instructions for this activity
3. Discuss activity as large group.

Pre-Service Training Module 3: Exploring Concepts in Child Advocacy



Now that you have a basic understanding of the Advocate role, the principles that guide child welfare laws and advocacy work, and the juvenile court process, the next step in training is to complete a personal study in preparation for your next in-person training. The *Exploring Concepts in Child Advocacy* personal study will teach you what it means to be culturally competent; why this is so important for an Advocate to know; and understanding the factors affecting families and children, including the key stressors of poverty, substance abuse, mental illness and domestic violence and trauma. This will be an opportunity for you to not only learn the key information you need to know as an Advocate, but also more about what influences your own thinking and behavior. Once you have completed Module 3 you will read more in the case study and will submit your evaluation.

Evaluation: Child Advocacy Fundamentals

Please complete this evaluation of the second pre-service training module.
Did you learn what was intended? (6 is high and 1 is low)

Learning Outcomes	Ratings					
	6	5	4	3	2	1
1. Identify the four key components of the Advocate role						
2. Identify the relevant federal laws that guide child advocacy work						
3. Identify the key parties involved in a juvenile court case and describe the role of each party						
4. Describe how a case moves through the juvenile court process from case assignment to case closure						
5. Demonstrate how to complete an initial Advocate Case Action Plan						
6. The content of this session was						
7. The notebook materials were						
8. The activities were						
9. The facilitator was						
10. Overall, I rate this session						

11. What was the most valuable to you?

12. Is there anything we could improve or do differently?

Name _____ Date _____

Thank you for your participation and feedback!